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PTO/SB/21 (08-03) Approved for use through 08/30/2003. OMB 0651-0031

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TRANSMITTAL	Filing Date	January 22, 2002		 -		
FORM	First Named Inventor	Dana C. Mears				
(to be used for all correspondence after initial filing)	Art Unit	3732				
	Examiner Name	Michael B. Priddy				
Total Number of Pages in This Submission	Attorney Docket Number	ZM0414B DIV1				
EN	CLOSURES (Check all that	t apply)				
Fee Transmittal Form	Drawing(s)			ance communication ogy Center (TC)		
Fee Attached	Licensing-related Papers	ر of الـــا ا	Appeals	mmunication to Board and Interferences		
Amendment/Reply	Petition			mmunication to TC Ice, Brief, Reply Brief)		
After Final	Petition to Convert to a Provisional Application	Pro	prietary	Information		
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Document(s) Form	PTO1449					
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Response to Missing Parts under 37 CFR 1.52 or 1.53						
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SIGNATURE	OF APPLICANT, ATTORN	EY, OR AGENT	Γ			
Firm or Jonathan D. Feuchtwang, Reg. N Zimmer Technology Inc.	lo. 41,017					
Signature						
Date November 22, 2004 .	3					
CERTIF	ICATE OF TRANSMISSION	I/MAILING				
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with						
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.						
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Signature \\ \Q	Joan The son		Date	November 22, 2004		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mears et al

Serial No.: 10/053,931

Filed: January 22, 2002

For: METHOD AND APPARATUS FOR

PERFORMING A MINIMALLY INVASIVE TOTAL HIP ARTHROPLASTY

Art Unit: 3732

Examiner: Michael B. Priddy

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

November 22, 2004

Date

Attorney for Applicants
Registration No. 41,017

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This IDS is submitted under 37 C.F.R. §1.97(c), after the C.F.R. §1.97(b) time period, but before the mail date of a Final Office Action or a Notice of Allowance (whichever occurs first), with either:

- (a) a statement under 37 C.F.R. §1.97(e); or
- (b) the \$180.00 fee under 37 C.F.R. §1.17(p).

Applicant(s) submit herewith Form PTO-1449 (Information Disclosure Citation) together with copies of patents, publications or other information of which applicant n(s) are aware, which applicant(s) believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 C.F.R. §1.56. Applicant(s) respectfully submit that the citation of any reference on Form PTO-1449 does not constitute an admission that the reference qualifies as prior art.

It is requested that the information disclosed on the enclosed Form PTO-1449 be made of record in this application.

- (X) Statement Under 37 C.F.R. §1.97(e):
 - (X) The enclosed references were cited in a Communication issued by the European Patent Office (copy enclosed). Applicant(s) hereby certify(ies) that each item of information cited on the enclosed Form PTO-1449 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.
 - (X) Applicant(s) hereby certify(ies) that no item of information cited on the enclosed Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information cited on the enclosed Form PTO-1449 was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- () Enclosed is a check for \$180.00 to cover the fee as set forth in 37 C.F.R. § 1.17(p).

The Commissioner is hereby authorized to charge any additional fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or to credit any overpayment, to Deposit Account No. 50-2779. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

150 North Wacker Drive - Suite 1200

Chicago, Illinois 60606 Telephone: (312) 372-2859 Facsimile: (312) 372-2906

Customer No. 37235

ZIMMER TECHNOLOGY, INC.

Jonathan D. Feuchtwang, Reg. No. 41, 017

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Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	10/053,931			
Filing Date	January 22, 2002			
First Named Inventor	Dana Mears			
Art Unit	3732			
Examiner Name	Michael B. Priddy			
Attorney Docket Number	ZM0414 B DIV1			

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ^{2 (# known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 5,364,403	11/15/94	Petersen	Whole Document
		^{US-} 5,474,560	12/12/95	Rohr, Jr.	Whole Document
		us- 2003/220698	10/31/01	Bristol-Myers Squibb	See Report
		^{US-} 2003/229356	12/11/03	Dye	Whole Document
		^{US-} 5,320,625	06/14/94	Bertin	See Report
		^{US-} 5,738,586	94.14.98	Jorge Arriaga	Whole Document
		^{US-} 5,720,750	02/24/98	H. Koller et al	See Report
		^{US-} 5,089,003	02/18/92	W. Fallin et al	Figs 1, 3, 4A-D
	<u> </u>	^{US-} 5,190,550	03/02/93	G.J. Miller et al	Fig 4
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	-	FORE	IGN PATENT DOCI	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶
		EP1 149 562 A	10/31/01	Bristol-Myers	See Report	
		WO 03/065906 A	08/14/03	Chana	Figs 1-4	
		FR 1 041 311 A	10/22/53	Chevalier	See Report	
		EP0 380 309 A	08/01/90	Smith & Nephew	Figs 7, 10	
		EP0 956 824 A	11/17/99	Waldemar Link	Fig 2	
		FR 2 742 038 A	06/13/97	Landanger Lndos	See Report	

Examiner	Date	
Signature	Considered	
Cignature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Nind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known				
Application Number	10/053,931			
Filing Date	January 22, 2002			
First Named Inventor	Dana Mears			
Art Unit	3732			
Examiner Name	Michael B. Priddy			
Attorney Docket Number	ZM0414 B DIV1			

			U. S. PATENT D	OCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (3 known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
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